

REMARKS

Claims 1-5 are rejected under 35 U.S.C. §112, second paragraph. Claims 1, 2 and 3 have been amended to overcome this rejection.

Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. §102(b) based on Nakamoto JP 5071492. Nakamoto discloses a device in which a rotor surrounds the interior walls of a pump housing. Nakamoto does not teach or suggest a device in which inner walls within a pump housing surround at least a portion of a rotor to define an inner region between the rotor and the inner walls in communication with a first passageway and an outer region between an outer wall and the inner walls in communication with a second passageway, as defined by amended independent claim 1.

The Examiner indicates that claim 3 is allowable if rewritten in independent form and to overcome the rejection under 35 U.S.C. §112. Claim 3 has been amended in view of this indication of allowability to overcome the rejection under §112 and to incorporate the subject matter of claims 1 and 3.

Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach
Registration No. 50,295

RYAN KROMHOLZ & MANION, S.C.

Post Office Box 26618

Milwaukee, Wisconsin 53226

(262) 783 - 1300

17 October, 2003

Customer No.: 26308

A-Med/16761-CIP 2/03/0317 Amendment A

Enclosures: Amendment Transmittal Letter
Return Postcard